

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ESTER LORUSSO,

Plaintiff,

-against-

ALITALIA-LINEE AEREE ITALIANE SpA,

Defendant.

Case No. 07 CV 3583 (LBS)(RLE)

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

AFFIDAVIT OF MARCO D'ILARIO

Marco D'Ilario, being duly sworn, deposes and says:

1. I am employed by Alitalia Linee Aeree Italiane SpA ("Alitalia") as Vice President for Cargo, Americas. Previously, beginning in November 2006, I held the position of Head of International Sales, and Ester Lorusso was within my line of supervision during the final two months that she worked in the Cargo Division as Director of Marketing Communications. I base this affidavit upon personal knowledge.

2. During 2006, Alitalia offered an incentive program to certain Cargo Division employees whose job responsibilities primarily concerned generating revenue, and to certain executives in Italy whose job responsibilities primarily concerned airline operations. It was not offered to Cargo Division employees in Italy, the United States or any other location whose job responsibilities primarily concerned communications, because their jobs did not directly involve the generation of revenue. Ester Lorusso's job

responsibilities in the Cargo Division addressed communications and so she was not eligible to participate in the program.

3. In December of 2006 and January of 2007, Alitalia's management determined to engage in a worldwide restructuring of the Cargo Division in an effort to achieve the company's profitability targets. As part of that process, management determined to eliminate more than fifty positions and to centralize the Cargo Division's director level marketing and communications positions in Alitalia's Rome office. I consequently determined to eliminate Ester Lorusso's position as part of this restructuring.

4. The foregoing statements made by me are true and are based on my own personal knowledge. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



Marco D'Ilario

Sworn to and subscribed before me
this 14 day of March 2008



Notary Public

ALAN M. KORAL
Notary Public, State of New York
No. 31-4676310
Qualified in New York County
Commission Expires Oct. 31, 192008

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CERTIFICATE OF SERVICE

I, Daniel Green, hereby declare, pursuant to 28 U.S.C. 1746, under penalty of perjury, that on April 28, 2008, I caused a copy of the **AFFIDAVIT OF MARCO D'ILARIO** to be served upon Plaintiff by electronically filing same, thereby ensuring that Plaintiff's attorney, Robert Ottinger, Esq. of The Ottinger Firm, P.C., received same because he is a registered e-filer and registered to receive e-notices in this case.

DATED: April 28, 2008

s/ Daniel C. Green
Daniel C. Green